



1653

Atty. Dkt. No. 041673-2045

p#12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark Tuszynski  
Title: MUTANT PRO-NEUROTROPHIN  
WITH IMPROVED ACTIVITY  
Appl. No.: 09/788,188  
Filing Date: 02/16/2000  
Examiner:  
Art Unit: 1653

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FEB 28 2003  
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<b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.  <u>Michelle Sympson</u> <small>(Printed Name)</small>  <u>Michelle Sympson</u> <small>(Signature)</small>  <u>February 19, 2003</u> <small>(Date of Deposit)</small>
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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. The two documents were cited in a search report generated for the corresponding PCT application, PCT/US02/04395 filed February 15, 2002. Copies of the Linden/Kaushansky and Seidah et al. references are being submitted to comply with the provisions of 37 CFR §1.97 and §1.98. The other two references listed in the search report, United States Patent No. 5,364,769 and Heymach et al., were previously submitted in an Information Disclosure Statement submitted to the USPTO in the instant case on October 11, 2002.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.



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**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

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**RELEVANCE OF EACH DOCUMENT**

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All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date

2-18-03

By

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